

Sunset Public Hearing Questions for  
**Sex Offender Treatment Board**  
Created by Section 39-13-704, *Tennessee Code Annotated*  
(Sunset termination June 2010)

**1. Provide a brief introduction to the Sex Offender Treatment Board, including information about its purpose, statutory duties, staff and administrative attachment.**

The Sex Offender Treatment Board (SOTB) is presently comprised of ten active members representing public and private entities. There are presently three vacancies to be addressed, which are described more fully in the response to question two, below.

Pursuant to Tennessee Code Annotated 39-13-704, the SOTB is charged with the responsibility of establishing a comprehensive statewide treatment and monitoring system for adult sexual offenders. A statewide network of treatment providers continues to be developed and refined from year to year. A directory of providers may be obtained at <http://state.tn.us/correction/tsotb/tsotb.html>.

The board continues to focus its effort on providing highly specialized training and continuous consultative services that emphasize a singular treatment philosophy with the goal of reducing the level of fragmentation in service delivery in the state. This outreach is addressed to the provider network, as well as to Probation and Parole and Community Correction offices throughout the state, to assure that there is expertise in every community for the management of sex offenders in every community.

**2. Provide a list of current board members and describe how membership complies with Section 39-13-704, *Tennessee Code Annotated*. Are there any vacancies on the board? If so, what steps have been taken to fill the vacancies?**

The roster of SOTB membership for 2009 is attached hereto as Exhibit A. The seat of the presiding officer was recently vacated by Jeanine Miller, Ph.D., who has accepted a position with the Bureau of TennCare. The membership has nominated J. Michael Adler, Ph.D. to serve as presiding officer. The appointment is pending. It further appears that the Judiciary representative and the District Attorney Representative have been unable to serve. Upon the appointment of a presiding officer, the SOTB will act to address those apparent vacancies.

The expectation continues to be that each board member possess a level of expertise and understanding of the nature of sexual offending behavior and the impact that sexual predators present to the community, as well as a desire and commitment to support the mission of the SOTB.

The composition of the SOTB , as prescribed by Tennessee Code Annotated 39-13-704 is as follows:

*(1) One (1) member representing the judicial branch, appointed by the Chief Justice of the Tennessee Supreme Court;*

Hon. Seth Norman, Davidson County, is currently appointed to this seat but, it appears, unable to serve, as noted in the response to question one above.

*(2) Two (2) members representing the Department of Correction, appointed by the Commissioner of Correction;*

Sara Vardell, Psy.D., Director of the Sex Offender Program at the Lois DeBerry Special Needs Facility, Nashville, actively serves.

Jeanine Miler, Ph.D., formerly of the TDOC's Director of Mental Health, served as presiding officer of the SOTB until resigning in August 2009, in favor of accepting a new position with the Bureau of TennCare.

*(3) One (1) member representing the Tennessee Bureau of Investigation, appointed by the Director;*

Pam Beck, J.D. actively serves and represents the TBI.

*(4) One (1) member representing the Department of Children's Services, appointed by the Commissioner of Children's Services;*

Jeanne Brooks, Office of Child Safety, DCS, actively serves.

*(5) One (1) member, appointed by the Commissioner of Correction, who is a licensed mental health professional with recognizable expertise in the treatment of sex offenders;*

J. Michael Adler, Ph.D., a Licensed Psychological Examiner engaged in community-based treatment, actively serves and is an expert in the field of treatment of sexual offenders.

*(6) One (1) member, appointed by the Commissioner of Correction, who is a District Attorney General;*

Hon. Kim Helper, District Attorney General, Williamson County, is currently appointed to this seat but, it appears, unable to serve, as noted in the response to question one above.

*(7) One (1) member, appointed by the Commissioner of Correction, who is a member of a Community Corrections Advisory Board;*

Valda Cowan, Davidson County Community Corrections Program, actively serves.

*(8) One (1) member, appointed by the commissioner of correction, who is a Public Defender;*

David Doyle, Esq., Public Defender, Sumner County, actively serves.

*(9) One (1) member, appointed by the commissioner of correction, who is representative of law enforcement;*

Captain David Imhof, Metropolitan Nashville PD, actively serves.

*(10) Two (2) members, appointed by the commissioner who are recognized experts in the field of sex abuse, and who can represent sex abuse victims and victims' rights organizations;*

Bonnie Beneke, LCSW, TN Chapter of Child Advocacy Centers, Nashville, actively serves.

Verna Wyatt, Executive Director, "You Have The Power," a not-for-profit agency dedicated to raising awareness about crime and justice issues, with the goal of preventing crime and victimization, actively serves.

*(11) One (1) member, appointed by the presiding officer of the Sex Offender Treatment Board, who is a representative of the board of probation and parole.*

Kirk Smith, Assistant Director, Tennessee Board of Probation and Parole, actively serves.

**3. Does membership include a member who is sixty years of age or older? A member who is a racial minority? A member who is female?**

Please refer to Exhibit A. The SOTB does not solicit information concerning the ages of its membership, but is assured by the membership that at least one of its number is sixty years of age or older.

**4. What per diem or travel reimbursement do members receive? How much was paid to board members during fiscal years 2008 and 2009?**

All per diem and travel reimbursement rates follow established State policy. Please see Exhibit B, *infra*, for reimbursement detail. For FY 2008 and 2009.

**5. What were the board's revenues (by source) and expenditures (by object) for fiscal years 2008 and 2009?**

Please refer to Exhibit C, *infra*

**6. How many times did the board meet in fiscal years 2008 and 2009, and how many members were present at each meeting?**

The SOTB generally meets monthly. Exceptions occur during the end of year holiday season or as inclement weather may require. Participation is not compensated, except as to compensation for per diem expenses, as noted above, and is otherwise an accommodation of the member's employing agency or entity. Attendance thus varies, according to the necessity that the several members attend to other professional duties from time to time. The board would need additional time to respond, in order to produce a comprehensive tabulation of attendance for FY 08 and 09.

**7. Is the board subject to Sunshine law requirements (Section 8-44-101 et seq., *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes and public access to minutes? If so, what procedures does the board have for informing the public of its meetings, who keeps the official minutes of board meetings and what steps are taken to make the minutes available to the public?**

The SOTB is subject to Sunshine law requirements. Its current schedule of meetings is posted on its website, <http://state.tn.us/correction/tsotb/resources.html>. The SOTB does receive visitors from time to time and does welcome input from those who may wish to address the board. Minutes of each meeting are prepared by a recording secretary, of the TDOC, and are available for inspection in accordance with Tennessee Code Annotated, Title 10, Chapter 7.

**8. Does the board have any policies in place to address potential conflicts of interest by board members, board employees, or other state employees who work with the board in any capacity? If yes, please describe.**

There is little or no pecuniary, material, political, or social advantage to be realized from the primary business of the board, which is the maintenance of standards for the treatment of sex offenders. That field of practice is not lucrative, and it is not realistic to expect that any one would attempt to purchase influence or have any expectation of gain by selling it, relative to the work of the Board. That said, ethical standards for sexual offender treatment, set forth in the TSOTB statement of Policy and Procedure makes clear that all conduct in furtherance of sexual offender treatment is strictly for the benefit of the public. See <http://state.tn.us/correction/tsotb/documents.html> for a complete publication of SOTB policies and procedures.

**9. What were the major accomplishments of the board during fiscal years 2008 and 2009?**

The Board continues to offer a program of training and development for providers and supervision agencies, which brings expertise from around the nation to the offender management community of Tennessee.

**10. Has the board developed the following as required by Section 39-13-704? If so, provide documentation for (or a description of) each item developed.**

- **A standardized procedure for the evaluation and identification of sex offenders?**

Standards, Guidelines, and Best Practices (which address intervention methodologies) established by the SOTB are described on its website, at <http://state.tn.us/correction/tsotb/documents.html>

- **Methods of intervention for sex offenders?**

See note above, regarding standards, guidelines, and best practices.

- **Measures of success?**

This task has not been funded, to date.

- **Guidelines and standards for a system of programs for the treatment of sex offenders?**

See note above, regarding standards, guidelines, and best practices.

- **A plan for the allocation of sex offender treatment fund dollars among the judicial branch and the Departments of Correction and Children's Services?**

There has been no plan of allocation developed, inasmuch that there does not appear to have been a fund balance appropriate for such distribution at any time in the history of the fund. The balance of the fund substantially goes to reimbursement of treatment services for indigent offenders, and for provider and offender management training. The fund typically maintains a marginal surplus from year to year after these expenses are satisfied. A complete accounting of the fund from inception through FY 2008-09 is attached hereto as Exhibit D.

- **A system for tracking offenders who have been subject to evaluation, identification, and treatment?**

This task has never been funded for the SOTB. This provision of Tennessee Code Annotated 39-13-704(d)(4) appears to have been made obsolete with the enactment of Tennessee Code Annotated 40-39-201 et seq. and 40-39-301 et seq., which provide for comprehensive tracking and monitoring of sex offenders by the Board of Probation and Parole.

- **A system for monitoring offender behaviors and offender adherence to prescribed behavioral changes?**

This task has never been funded for the SOTB. Offenders receiving treatment during incarceration are closely monitored regarding progress in treatment. Offender attendance to and progress in treatment in the community is a core element of supervision and is closely monitored by Probation and Parole.

**11. Is each sex offender required to submit to an evaluation for risk, identification, amenability to treatment, and behavior management? How are such evaluations used?**

Yes. The evaluation is used by the court, the treatment provider, and the community supervisor to establish the appropriate disposition, level of treatment, and plan of management for the offender.

**12. Describe the number and type of sex offender treatment slots available. Are sufficient slots available? If not, provide information on the number of persons on a waiting list and the approximate wait.**

The SOTB identifies the provider network, which establishes the number of providers available in a given locale at a given time. The SOTB lacks the resources, however, to measure system capacity or monitor system utilization. There is no indication of any wait list situation within the community treatment system, to our knowledge. The treatment program operated by the TDOC for incarcerated offenders does have a defined and limited capacity. The program generally serves those inmates who are within five years of expectation of

release from incarceration. Other inmates outside such proximity of release would, in effect, be on a wait list for admission to the program.

**13. What other reports does the board prepare on its operations, activities and accomplishments and who receives the reports?**

The SOTB does not currently prepare or cause to be prepared any reports other than those described above.

**14. To what extent have offenders paid the costs of evaluation, identification, and treatment? How is ability to pay determined?**

Exhibits C & D, described above, will provide a general picture of revenues realized from offender surcharges and expenditures made therefrom for provider reimbursement. Fiscal accounting in this area is provided by the TDOC, and additional accounting detail is not provided. It should be noted that the TDOC bears the cost of treatment provided to those offenders in its custody, in accordance with its budget and appropriations from year to year. Offender responsibility for such cost of incarceration is as provided by Tennessee Code Annotated, generally, at 41-21-901 et seq. The cost of treatment in the community, other than in cases of indigence, is to be borne by the offender, as provided by Tennessee Code Annotated Sections, 33-6-805 and 39-13-706. Determination of indigence and the schedule of reimbursement for indigent services is described in the following SOTB web resource: <http://state.tn.us/correction/tsotb/pdf/SOTBAdministrativePolicies&Procedures21Aug2007pg20-21.pdf>

**15. What was the balance in the sex offender treatment fund as of June 30, 2009? To what extent was the money in this fund supplemented by state appropriations (or other revenues) during fiscal years 2008 and 2009?**

See Exhibit D, described above

**16. Is a system in place, as required by Section 39-13-709, *Tennessee Code Annotated*, to charge each person convicted of a sex offense a tax? What was the average amount charged to each sex offender during fiscal year 2009? Does the Department of Correction have a procedure to deduct unpaid balances from the offender's trust fund account?**

Gross revenue collections indicated in Schedule D indicate that there is a continuing system for the assessment and collection of the tax. The SOTB does not directly administer that system, does not receive a detailed accounting of assessments and collections, and would not have need of such or the ability to utilize such detail. The TDOC does have a procedure for the collection of unpaid balances from an offender's trust fund account. See Exhibit E, attached hereto.

**17. Describe any items related to the board that require legislative attention and your proposed legislative changes.**

As is noted above, Tennessee Code Annotated 39-13-704(d)(4) appears to have been made obsolete with the enactment of Tennessee Code Annotated 40-39-201 et seq. and 40-39-301 et seq., which provide for comprehensive tracking and monitoring of sex offenders by the Board of Probation and Parole.

The provision of 39-13-704(3), regarding allocation of the treatment fund appears to be moot, given fiscal record of the fund from inception to date.

The board notes that the definition of “sex offense” set forth in 39-17-703, which creates the offender’s obligation to participate in treatment, predates the more comprehensive definitions of “sexual offense” and “violent sexual offense” set forth in 40-39-202, which establish the offender’s registration obligations. In this circumstance, the obligation of treatment does not reach the offense of aggravated rape of a child, and does not appropriately address the gradation of offense with regard to statutory rape. It should be noted, further, that the definition provided by 39-17-703 would not reach, to the extent that the underlying acts would be relevant to sex offender treatment, other offenses that *are* provided for in 40-39-202. These include indecent exposure, kidnapping, false imprisonment, facilitation and accessory offenses related to sexual offenses, and certain now-repealed code sections that defined offenses involving acts against spouses, and acts involving exploitation of children.

**18. Should the board be continued? To what extent and in what ways would the absence of the board endanger the public health, safety or welfare?**

The SOTB should be continued. Sex offender treatment remains absolutely critical to the overall strategy for management of sex offenders. The fact remains that sex offenders cannot be cured of the condition and that the disposition to offend can only be managed toward preventing recurrence of offending acts. Apart from close supervision of the offender, continuing treatment focused on guiding the offender’s patterns of thinking and behavior away from the disposition to offend remains the best tool available to the State to provide for the safe management of the offender in the community. As a practical matter, meanwhile, the recent reduction of inpatient psychiatric resources for the State, together with planned reduction in reliance on prison beds, and the resulting pressure on county detention facilities, there would seem to be fewer detention beds available now than before for sexual offenders, generally. If so, the need for sound effort in sexual offender treatment is more critical to community safety than before. The SOTB plays a crucial and central role in assuring that the treatment effort in Tennessee is a sound effort for the safety of the State's communities.

The SOTB addresses this need by providing the central leadership that connects the collaborative efforts of correction, probation, treatment, and victim rights advocacy, which are all necessary to successfully reduce sexual victimization. The SOTB has established standards and guidelines for treating and assessing sexual offenders. With resort to competent, trained professionals, the courts have access to reliable and valid assessments to be used in determining disposition of offender cases. The courts are thus able to differentiate higher risk offenders that may need higher levels of supervision or incarceration from lower risk offenders who can be managed and treated in a more fiscally efficient manner than long-

term incarceration. The SOTB's standards and best practices also guide treatment providers in assuring that sex offenders are focusing on relevant risk factors in their treatment necessary to reduce risk to re-offend. By successfully reducing and eliminating risk factors, recidivism is lowered and fewer individuals are victimized.

The SOTB has established a framework for collaboration between the treatment community and the probation/parole mission, to enhance the supervision and management for sexual offenders. Peer supervision provides a milieu for ongoing case management of offenders, involving multiple clinicians and probation officers. Additionally, periodic training offered by the SOTB increases awareness of the most effective techniques and strategies for managing and treating sex offenders.

The SOTB has through its work, established credibility within and among multiple State agencies. The SOTB has assisted Probation and Parole with establishing a method to assess sexual offenders in the community and effectively and efficiently utilize the GPS resources with higher risk offenders. The SOTB has provided assistance to DCS by providing training for professionals who treat juveniles who sexually act out. When juvenile treatment is effective, fewer juveniles are at high risk to become adult offenders. In the present economic climate, the work of the SOTB is essential to maintaining and continually improving this comprehensive approach to managing and treating sexual offenders in a way that enhances community safety. The SOTB has demonstrated the leadership, commitment, and credibility necessary to continue the collaborative efforts that are necessary to assure that treatment, assessment, and management of sex offenders in Tennessee is sound, safe, and successful for all communities.

- 19. Please list all board programs or activities that receive direct or indirect federal financial assistance and, therefore are required to comply with Title VI of the Civil Rights Act of 1964. Include the amount of federal funding received by program/activity.**

The SOTB does not receive and has not in its history received any federal financial assistance.

*If the board does receive federal assistance, please answer questions 20 through 28. If the board does not receive federal assistance, proceed directly to question 26.*

- 20. Does your board prepare a Title VI plan? If yes, please provide a copy of the most recent plan.**

NA

- 21. Does your board have a Title VI coordinator? If yes, please provide the Title VI coordinator's name and phone number and a brief description of his/her duties. If not, provide the name and phone number of the person responsible for dealing with Title VI issues.**

NA



- 22. To which state or federal agency (if any) does your board report concerning Title VI? Please describe the information your board submits to the state or federal government and/or provide a copy of the most recent report submitted.**

NA

- 23. Describe your board's actions to ensure that board staff and clients/program participants understand the requirements of Title VI.**

NA

- 24. Describe your board's actions to ensure it is meeting Title VI requirements. Specifically, describe any board monitoring or tracking activities related to Title VI, and how frequently these activities occur.**

NA

- 25. Please describe the board's procedures for handling Title VI complaints. Has your board received any Title VI-related complaints during the past two years? If yes, please describe each complaint, how each complaint was investigated, and how each complaint was resolved (or, if not yet resolved, the complaint's current status).**

NA

- 26. Please provide a breakdown of current board staff by title, ethnicity, and gender.**

See Exhibit A, *infra*.

- 27. Please list all board contracts, detailing each contractor, the services provided, the amount of the contract, and the ethnicity of the contractor/business owner.**

The SOTB has no ongoing contracts for services. The board does purchase professional services annually, in respect to speaker compensation, and booking meeting facilities, in connection with its annual training conference. Speaker engagements are determined based upon subject matter relevance to the training program need, and otherwise upon proposal. Details of those expenditures appear in Exhibit B, *infra*. The board would require additional time for response, in order to tabulate all relevant agreements and provide detail as to ethnicity among participants. The board does not contract for provider services, *per se* but does maintain a list of providers of treatment services, updated annually, who have agreed to conform their practice to the guidelines and standards set forth by the SOTB. Entry into such agreement and listing as an approved provider are open to all.

- 28. Please provide a breakdown of inmates who participated during fiscal years 2008 and 2009 by ethnicity for each of the sex offender treatment programs covered under Title VI. (Note: This item will apply to federally funded programs operated directly by the auditee, as well as to federally funded programs operated by the auditee's grantees/contractors.)**

As is noted above, the SOTB is not a recipient of federal funding, does not have any employees, does not have any clients, and does not operate any programs from which offender participant data are available. Indigent Sex offender treatment in the community is funded from the surcharges assessed to all sex offenders pursuant to statute. Sex offender treatment provided to inmates in TDOC facilities is funded by general appropriation in the State budget. Any nexus between the facility programs and federal funding received by the TDOC is not within the purview or control of the SOTB directly. The SOTB would thus rely upon the TDOC in respect to any Title VI compliance issues affecting those programs.

**Tennessee Sex Offender Treatment Board (TSOTB) 2009  
Board Members**

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<p>J. Michael Adler, PhD Licensed Psychological Examiner P.O. Box 278 Limestone, TN 37681 Ph. 423-257-6055 Fax. 423-257-6975 Email: <a href="mailto:mikeadler@candcservices.org">mikeadler@candcservices.org</a></p> <p>Caucasian Male</p>	<p>David G. Imhof, Captain 200 James Robertson Parkway Nashville, Tennessee 37219 Ph. 615-862-7560 Email: <a href="mailto:David.Imhof@nashville.gov">David.Imhof@nashville.gov</a></p> <p>Caucasian Male</p>
<p>Pam Beck, JD Tennessee Bureau of Investigation 901 R. S. Gass Boulevard Nashville, TN 37216 Ph. 615-744-4000 Fax. 615-744-7513 Email: <a href="mailto:Pam.Beck@state.tn.us">Pam.Beck@state.tn.us</a></p> <p>Caucasian Female</p>	<p>Honorable Seth W. Norman Justice A.A. Birch Building 408 2<sup>nd</sup> Avenue North, Suite 6100 Nashville, TN 37201 Email : <a href="mailto:Dana.Slate@iis.nashville.org">Dana.Slate@iis.nashville.org</a></p> <p>Caucasian Male</p>
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<p>Valda Cowan 523 Mainstream Drive, Suite 210 Davidson County Community Corrections Program Nashville, TN 37228 Ph. 615-862-8375 Email: <a href="mailto:ValdaCowan@iis.nashville.org">ValdaCowan@iis.nashville.org</a></p> <p>African American Female</p>	<p>Sara Vardell, PsyD Director Sex Offender Program Lois M. DeBerry Special Needs Facility 7575 Cockrill Bend Blvd Nashville, TN 37243-0469 Ph. 615-350-2700 Email: <a href="mailto:Sara.Vardell@state.tn.us">Sara.Vardell@state.tn.us</a></p> <p>Caucasian Female</p>
<p>David Doyle Public Defender 117 East Main Street, 2<sup>nd</sup> Floor</p>	<p><b>Ex – Oficio</b> Bryce Coatney, JD, Staff Attorney (TDOC), Counsel to the Board</p>

**Tennessee Sex Offender Treatment Board (TSOTB) 2009  
Board Members**

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**Sex Offender Treatment Fund**  
**Expenditures July, 2008 through June, 2009**

**03 -TRAVEL:**

Michael Adler	127.62	
Michael Adler	670.84	(\$269.56 SOTB Conf)
Michael Adler	401.32	
Michael Adler	449.82	
Michael Adler	1,223.64	
Michael Adler	449.82	
Michael Adler	461.34	
Out of State Airline	2,219.80	(2010 SOTB Conf Pd FY09)
Holiday Inn Select-Opryland	32,426.29	(SOTB Conf)
Total Travel		\$38,430.49

**04 - PRINTING:**

PT0000019	\$434.69	(SOTB Conf)
PT0000023	272.98	(SOTB Conf)
Total Printing		707.67

**08 - PROFESSIONAL SERVICES:**

Educational Supplies:		
FYI Promotions	1,363.25	(SOTB Conf)
Brightminds	149.40	(SOTB Conf)
Total Educational Supplies		1,512.65

Training:

Gerry Blasingame	1,750.00	(SOTB Conf)
Niki Delson	1,623.00	(SOTB Conf)
Lisa Fontes	1,880.29	(SOTB Conf)
Footprints Consulting Service	1,750.00	(SOTB Conf)
Donna Moore	2,125.00	(SOTB Conf)
Cardwell Nuckols	3,111.25	(SOTB Conf)
Gail Ryan	3,101.88	(SOTB Conf)
Total Training		\$15,341.42

American Psychocological Association	300.00	(SOTB Conf)
Total CEU's - Training Credit Approval		\$300.00

Meetings.com Event Tech	4,053.00	(SOTB Conf)
		4,053.00

Provider Services:

Action Counseling & Consulting	5,580.00
Advanced Polygraph Services	26,700.00
Behavior Management Consultants	1,800.00
Center for Individual & Family	15,340.00
Counseling & Consultations Services	16,130.00
Counseling Center	2,900.00
Counseling Resource of America	6,600.00
Crossroads Inegrated Health Services	3,320.00
Cummins, Jennifer	14,640.00
Davis, Sharon	19,970.00
East Tn Human Resource Agency	18,120.00
G & L Enterprise	100.00

**Sex Offender Treatment Fund**  
**Expenditures July, 2008 through June, 2009**

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Goins, Karan	20,200.00	
Hilliard, Deryl	10,140.00	
Jackson, Jim	4,640.00	
KATARTIDZO	15,740.00	
Lancaster, John	600.00	
Lane, James Ray	100.00	
Martin, Rachael	1,400.00	
McConkey, Tim	3,200.00	
Moore, Donna	12,640.00	
Netherton, Tom	19,640.00	
PDD Examinations	700.00	
Psychological Consulting Services	1,600.00	
Rogers & Associates	17,400.00	
San Miguel, Margaret	25,100.00	
Scott, Kathleen	4,320.00	
SOS Services	700.00	
Tillery, William	29,980.00	
Volunteer Behavioral Health Care System	<u>1,200.00</u>	
Total Provider Services		\$300,500.00
Total Professional Services		<u>321,707.07</u>
Total Expenditures		<u><u>\$360,845.23</u></u>

10/15/2009

**Sex Offender Treatment Fund**  
**Expenditures July, 2007 through June, 2008**

**03 -TRAVEL:**

Michael Adler	3,170.81 (\$276 Conf)	
Michael Adler	1,080.90	
Holiday Inn Select	39,588.41 (SOTB Conf)	
Blasingame, Gerry	456.70 (SOTB Conf)	
Delson, Niki	787.20 (SOTB Conf)	
<b>Blasingame, Gerry</b>	<b>-456.70 (SOTB Conf)</b>	<b>Note (1)</b>
<b>Delson, Niki</b>	<b>-787.20 (SOTB Conf)</b>	<b>Note (1)</b>
Weiss, Robert	503.70 (SOTB Conf)	
Rich, Phil	558.60 (SOTB Conf)	
Velazco, Ann	355.10 (SOTB Conf)	
Steen, Charlene	448.70 (SOTB Conf)	
Powell, David	151.90 (SOTB Conf)	
Total Travel		\$45,858.12

**04 - PRINTING:**

General Services	<u>\$1,809.37</u> (SOTB Conf)	
Total Printing		1,809.37

**08 - PROFESSIONAL SERVICES:**

## Training:

Delson-Kokish Associates	3,168.65 (SOTB Conf)	
Cardwell C Kuckol's & Associates	3,564.86 (SOTB Conf)	
Rich, Phil	2,800.00 (SOTB Conf)	
Steene, Charlene	1,102.28 (SOTB Conf)	
International Center for Health Concerns	1,960.53 (SOTB Conf)	
Fortes, Linda	2,454.04 (SOTB Conf)	
Blasingame, Gerry	2,452.00 (SOTB Conf)	
Moore, Donna	900.00 (SOTB Conf)	
Velazco, Ann	1,200.00 (SOTB Conf)	
Sexual Recovery Insitute	2,159.88 (SOTB Conf)	
Stop It Now	630.46 (SOTB Conf)	
Robbins, Lynn	<u>226.22</u> (SOTB Conf)	
Total Training		\$22,618.92

American Psychological Assoc-CEU's	1,380.00 (SOTB Conf)	
Jeanine Miller	<u>50.00</u> (SOTB Conf)	<b>Note (2)</b>
Total CEU's - Training Credit Approval		\$1,430.00

Meetings.com Event Tech	<u>4,175.00</u> (SOTB Conf)	
		4,175.00

## Provider Services:

Action Counseling & Consulting	3,330.00
Advanced Polygraph Services	17,300.00
Behavior Management Consultants, Inc	850.00
Center for Individual & Family	6,040.00

10/15/2009

**Sex Offender Treatment Fund**  
**Expenditures July, 2007 through June, 2008**

Counseling Center	2,220.00	
Counseling & Consultations Services	8,130.00	
Counseling Resource of America	11,700.00	
Crimm, Melissa	600.00	
Crossroads Counseling Center	18,480.00	
Cummins, Jennifer	7,200.00	
Davis, Sharon	2,320.00	
East Tn Human Resource Agency	5,900.00	
Hilliard, Deryl	8,660.00	
Hutson, John	600.00	
Jackson, Jim	2,390.00	
Martin, Rachael	2,020.00	
McSpadden, Anne	300.00	
Moore, Donna	4,600.00	
Netherton, Tom	4,440.00	
PDD Examinations	1,100.00	
Psychological Consulting Services	1,420.00	
Rogers & Associates	13,900.00	
San Miguel, Margaret	5,900.00	
Scott, Kathleen	4,340.00	
SOS Services	1,800.00	
Stanley, William	300.00	
Tillery, William	14,860.00	
Total Provider Services		\$150,700.00
Total Professional Services		<u>178,923.92</u>
Total Expenditures		<u><u>\$226,591.41</u></u>

**NOTE 1: Airline was not JV'd into from 329.01 to 329.50**

**NOTE 2: This should have been FY09; due to small \$ amt, Accts did not process the JE request**




**Sex Offender Treatment Fund  
Revenue - FY09**

	<b>Dept of Revenue</b>	<b>TDOD Trust Fund</b>	<b>TDOD Src 880</b>	<b>TDOD Src 890</b>	<b>Total</b>
<b>July</b>	\$7,559.57	\$1,733.30	\$50,790.00		\$60,082.87
<b>August</b>	7,739.49	1,473.32	6,295.00		15,507.81
<b>September</b>	7,742.44	1,716.05			9,458.49
<b>October</b>	7,482.98	2,193.55	450.00	4,480.00	14,606.53
<b>November</b>	7,461.91	2,707.92		500.00	10,669.83
<b>December</b>	5,414.69	2,800.89			8,215.58
<b>January</b>	6,606.48	2,036.81			8,643.29
<b>February</b>	7,580.68	2,250.74			9,831.42
<b>March</b>	7,936.08	1,992.40			9,928.48
<b>April</b>	8,793.56				8,793.56
<b>May</b>	7,332.25				7,332.25
<b>June</b>	7,037.10	5,330.54			12,367.64
<b>Total Revenue Collection</b>	<b>\$88,687.23</b>	<b>\$24,235.52</b>	<b>\$57,535.00</b>	<b>\$4,980.00</b>	<b>\$175,437.75</b>

**Only have a total from Edison**

**Sex Offender Treatment Fund  
Revenue - FY08**

	<b>Dept of Revenue</b>	<b>TDOD Trust Fund</b>	<b>TDOD Src 880</b>	<b>TDOD Src 890</b>	<b>Total</b>
<b>July</b>	\$8,790.98	\$916.41	\$36,359.64		\$46,067.03
<b>August</b>	7,657.71	1,643.84	21,385.00		30,686.55
<b>September</b>	8,297.62	1,387.58	1,420.00		11,105.20
<b>October</b>	7,446.30	1,624.27	3,375.00		12,445.57
<b>November</b>	8,022.97	1,374.14			9,397.11
<b>December</b>	6,670.85	1,475.97	1,233.16		9,379.98
<b>January</b>	5,934.80	1,601.84	-2,209.64		5,327.00
<b>February</b>	7,958.48	1,592.63			9,551.11
<b>March</b>	9,968.82	1,596.29			11,565.11
<b>April</b>	7,850.19	1,617.81			9,468.00
<b>May</b>	8,441.18	1,324.43			9,765.61
<b>June</b>	7,452.61	1,427.89		18,820.00	27,700.50
<b>Total Revenue Collection</b>	<b>\$94,492.51</b>	<b>\$17,583.10</b>	<b>\$61,563.16</b>	<b>\$18,820.00</b>	<b>\$192,458.77</b>

 <p>ADMINISTRATIVE POLICIES AND PROCEDURES State of Tennessee Department of Correction</p>	Index #: 208.03	Page 1 of 4
	Effective Date: September 15, 2008	
	Distribution: A	
	Supersedes: 208.03 (8/1/05)	
Approved by: George M. Little		
Subject: COLLECTION OF TAXES AND OTHER AMOUNTS OWED BY OFFENDERS		

- I. AUTHORITY: TCA 4-3-603, TCA 4-3-606, TCA 29-13-101 thru TCA 29-13-119, TCA 40-24-107, TCA 40-25-130, TCA 40-25-143, TCA 41-21-801 through TCA 41-21-818, TCA 67-4-602, TCA 67-4-603, and TCA 67-4-604.
- II. PURPOSE: To establish uniform procedures for the collection and deposit of various taxes, fees, court costs, and fines due to be paid by confined inmates.
- III. APPLICATION: To Wardens, Fiscal Officers, inmates, and privately managed institutions.
- IV. DEFINITIONS:
  - A. Clerk of Court: An officer of the court who files pleadings, motions, judgments, etc., issues process, and keeps records of court proceedings.
  - B. Court Costs: Costs, as allowed by statute(s), levied by the trial court against the person convicted of a criminal offense, which are to be collected by the clerk of the court.
  - C. Criminal Injuries Compensation Fee (CICF): A tax levied when any person is convicted of a crime of any nature by a circuit court, court of general sessions, or a comparable court of record with jurisdiction over criminal matters.
  - D. Criminal Injuries Compensation Fund: A state fund established for the victims of crime to be awarded damages resulting from a criminal act.
  - E. Litigation Tax: A tax levied on civil and criminal litigation.
  - F. Privilege Tax: A tax levied upon transactions deemed by the legislature to be a privilege to a person.
- V. POLICY: The Tennessee Department of Correction (TDOC) shall collect all privilege taxes, court costs, and other monies owed by an offender in the physical custody of the Department that were not collected by the various court clerks.
- VI. PROCEDURES: TDOC shall collect all privilege taxes, court costs, and other monies owed by offenders in its physical custody through the business offices of its various institutions as outlined in the following procedures:
  - A. Upon the intake of an inmate, copies of all Privilege and Litigation Taxes Certification to Tennessee Department of Correction, CR-3438, and court costs shall be delivered to the records office.

Effective Date: September 15, 2008	Index # 208.03	Page 2 of 4
Subject: COLLECTION OF TAXES AND OTHER AMOUNTS OWED BY OFFENDERS		

1. The institutional records office will process the documents and assign an inmate identification number (as appropriate) and forward a copy of the Privilege and Litigation Taxes Certification to Tennessee Department of Correction, CR-3438, and court orders to the trust fund custodian.
  2. The trust fund custodian will make the appropriate entries in TOMIS (LCDU) provided the taxes and court costs were not previously entered. The TOMIS (LCDG) contact note will be completed using code ABTE including the case numbers.
  3. The trust fund custodian will notify the inmate of the amounts to be collected from his/her account.
- B. When all applicable documents have been verified and the amounts due to be collected from the inmate have been verified and entered into TOMIS, withdrawals for the payment of privilege taxes and other assessed amounts will be made as follows:
1. If an inmate has funds in his/her trust fund account to pay the privilege taxes levied or other assessed amounts due without reducing the account balance below \$0.00, these funds shall be withdrawn. In no event shall the inmate's trust fund balance be reduced below \$0.00 by these withdrawals.
  2. The monthly statement issued to the inmate will serve as the receipt for this withdrawal. If the inmate objects to the withdrawal upon receiving this statement, a written statement should be submitted to the Warden explaining why the removal of the monies for privilege taxes or other amounts should not occur, along with evidence which the inmate believes to be pertinent. If the Warden or designee determines that the funds should not have been removed from the inmate's account, the trust fund custodian will take the necessary steps to reimburse the inmate for those funds withdrawn.
  3. On a daily basis, amounts withdrawn from inmate accounts for privilege taxes and other amounts will be deposited (transferred) to an organization account established within the trust fund for the deposit and accumulation of these monies.
  4. During the first week of each month the total of all monies withdrawn from inmate trust fund accounts for privilege taxes and other assessments will be paid to the appropriate authority. The litigation taxes collected under the provisions of TCA 67-4-602 shall be collected first and shall be paid by the institution collecting the tax to the clerk of the court levying the tax. The privilege taxes collected under the provisions of TCA 40-24-107 shall be paid to the Treasurer of the State of Tennessee, and will be paid by the Central Trust Fund Administration by a journal voucher each month.
- C. Fees and costs for frivolous or malicious claims and other court orders will be collected as directed by the court order.

Effective Date: September 15, 2008	Index # 208.03	Page 3 of 4
Subject: COLLECTION OF TAXES AND OTHER AMOUNTS OWED BY OFFENDERS		

- D. Criminal court cost imposed on the inmate and paid by the State shall be processed as follows:
1. Central Trust Fund Administration will make the appropriate entries on TOMIS (LCDU) for cases accruing under TCA 40-25-130(5). Fifty percent of all deposits will be collected until the amount is paid in full.
  2. The trust fund custodians will credit the amounts collected into the appropriate organization account.
  3. CTFA will transfer the funds from the organization account to Allotment 329.04, current services revenue account, on a monthly basis.
- E. All privilege taxes related to the criminal injuries compensation fund and litigation taxes must be collected from the inmate prior to the inmate's release from confinement with the department, either upon parole, probation, or expiration of sentence. Where such taxes are not collected prior to the inmate's release on parole or probation, the Board of Probation and Parole and the clerk of the sentencing court shall be notified of any unpaid taxes or court costs by the trust fund custodian. Where an inmate is to be released on expiration of the sentence and remains indebted to the State for taxes or to the courts for costs, the clerk of the sentencing court shall be notified by the trust fund custodian. A copy of TOMIS screens LCDI and LCDQ should be a part of the notification. The institution shall place additional copies of the TOMIS screens in the inmate's institutional file.

VII. ACA STANDARDS: 4-4027 and 4-4031.

VIII. EXPIRATION DATE: September 15, 2011.



**PRIVILEGE AND LITIGATION TAXES  
CERTIFICATION TO TENNESSEE DEPARTMENT OF CORRECTION**

DATE: \_\_\_\_\_

TO: COMMISSIONER  
DEPARTMENT OF CORRECTION  
6<sup>TH</sup> FLOOR RACHEL JACKSON BUILDING  
320 SIXTH AVENUE NORTH  
NASHVILLE, TENNESSEE 37243-0465

STATE OF TENNESSEE

COUNTY \_\_\_\_\_

VS.

CASE NO. (DOCKET) \_\_\_\_\_

This is to certify that the defendant in the above-captioned case has been assessed privilege taxes and litigation taxes as summarized below for a total assessment of \$\_\_\_\_\_.

**(See below for "Computation of Privilege and Litigation Taxes" calculations)**

- |   |          |          |          |                           |          |
|---|----------|----------|----------|---------------------------|----------|
| 1. State Privilege Tax (TCA 40-24-107)                                    | \$ _____ | of which | \$ _____ | been paid, leaving unpaid | \$ _____ |
| 2. State Litigation Tax (TCA 67-4-602)                                    | \$ _____ | of which | \$ _____ | been paid, leaving unpaid | \$ _____ |
| 3. Total amount to be collected by the Tennessee Department of Correction | \$ _____ |          |          |                           |          |
| 4. Sex Offender Tax (TCA 39-13-709)                                       | \$ _____ | of which | \$ _____ | been paid, leaving unpaid | \$ _____ |

\_\_\_\_\_  
CLERK / CRIMINAL COURT

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**COMPUTATION OF PRIVILEGE AND LITIGATION TAXES**

- |  |       |       |          |   |          |
|--|-------|-------|----------|---|----------|
| 1. State Privilege Tax (TCA 40-24-107)                       |       |       |          |   |          |
| A. Number of convictions                                     | _____ | times | \$ 26.50 | = | \$ _____ |
| B. Number of convictions                                     | _____ | times | \$ 50.00 | = | \$ _____ |
| C. Number of convictions                                     | _____ | times | \$500.00 | = | \$ _____ |
| Total privilege taxes levied                                 |       |       |          |   | _____    |
| 2. State Litigation Tax (TCA 67-4-602)                       |       |       |          |   |          |
| A. Number of civil suits                                     | _____ | times | \$ 13.75 | = | \$ _____ |
| B. Number of civil cases                                     | _____ | times | \$ 28.50 | = | \$ _____ |
| C. Number of cases   | _____ | times | \$ 3.00  | = | \$ _____ |
| Total litigation taxes levied                                |       |       |          |   | _____    |
| 3. Sex Offender Tax (TCA 39-13-709) Assessed by Court Judge. |       |       |          |   |          |